

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CYMEYON HILL,

Plaintiff,

v.

KIMBERLY SEIBEL, et al.,

Defendants.

No. 2:21-cv-2382 KJM DB P

ORDER

Plaintiff, a civil detainee, is proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. In an order filed September 2, 2022, this court found service of the second amended complaint appropriate for defendants Seibel, Weaver, Scotland, and Suzuki. Defendants Scotland and Suzuki have filed waivers of service. However, CDCR informed the court that it has no records for Seibel or Weaver, as identified by plaintiff. By an order filed January 23, 2023, this court ordered plaintiff to complete and return to the court, within thirty days, the USM-285 forms, summons, and copies of his second amended complaint which are required to effect service on defendants Seibel and Weaver. On January 30, 2023, plaintiff submitted the USM-285 forms but failed to file the summons and copies of the operative complaint.


Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to send plaintiff a copy of the second amended complaint submitted by plaintiff on July 1, 2022 and a summons; and

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2. Within thirty days, plaintiff shall submit to the court the completed summons form and three copies of the second amended complaint required to effect service. If plaintiff fails to return these documents within the specified time period, this court will recommend defendants Seibel and Weaver be dismissed from this action and the case will proceed on plaintiff's claims against defendants Scotland and Suzuki.

Dated: March 14, 2023

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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